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EXAMINER

ALAM, UZMA

ART UNIT	PAPER NUMBER
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2157

DATE MAILED: 05/07/2003

5

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/588,293

Applicant(s)

DODRILL ET AL.

Examiner

Uzma Alam

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 June 2000.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-62 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20, 22-51 and 53-62 is/are rejected.
- 7) ☒ Claim(s) 21 and 52 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

DETAILED ACTION

This action is responsive to the application filed on June 7, 2000. Claims 1-62 are pending. Claims 1-62 represent a method and server for a unified messaging system.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 3 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 3 recites the limitation "the recovering step" in claim 2. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

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The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 1-9, 22, 23, 32-40, 53, and 54 are rejected under 35 U.S.C. 102(e) as being anticipated by Moshfeghi US Patent No. 6,476,833. Moshfeghi teaches as claimed including a browsing documents, such as messages, on a client-server application running on an end-user device (see abstract). See also column 1, lines 16-34; column 2, lines 60-67; column 3, lines 1-25; column 4, lines 13-32; column 5, lines 5-18; and column 7, lines 4-16.

As per claims 1 and 32, Moshfeghi discloses a method and a computer readable medium in an application server for executing a messaging application, the method comprising:

receiving a first HTTP request for execution of a prescribed messaging application operation for a subscriber (requesting execution of an application operation column 5, lines 44-67; column 6, lines 1-22);

accessing attribute information for the subscriber from an Internet Protocol (IP) based database server configured for storing subscriber attributes (get subscriber profile information column 7, lines 18-50; column 8, lines 1-26);

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accessing an IP-based messaging server for subscriber messaging information based on the accessed attribute information (access the messaging server column 7, lines 51-67; column 8, lines 1-26 and lines 58-67); and

generating an HTML page, for execution of the prescribed messaging application operation and having media content and control tags, based on the first HTTP request and the subscriber messaging information (generating a web page to retrieve messages column 6, lines 10-22).

As per claims 2 and 33, Moshfeghi discloses the method and medium of claims 1 and 32, wherein the receiving step includes recovering within the HTTP request a browser configuration, and call parameters (identifying client requirements and profile information; column 2, lines 8-25; column 3, lines 8-25; column 4, lines 12-32; column 8, lines 35-53).

As per claims 3 and 34, Moshfeghi discloses the method and medium of claims 2 and 33, wherein the recovering step includes identifying the browser configuration as one of a computer browser configuration configured for parsing a prescribed group of media tags and presenting a prescribed group of media types, and a lightweight browser configuration configured for parsing a prescribed portion of the prescribed group of media tags (identifying the client device and specifications; column 4, lines 12-32; column 8, lines 35-53).

As per claims 4 and 35, Moshfeghi discloses the method and medium of claims 3 and 34, wherein the generating step includes generating the HTML page by selectively supplying media

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tag types based on the identified browser configuration (identifying the type of media supported by the client device; column 4, lines 12-32; column 8, lines 35-53).

As per claims 5 and 36, Moshfeghi discloses the method and medium of claims 2 and 33, wherein the call parameters include a called party identifier, the accessing step including retrieving the attribute information, specifying at least one of subscriber registration status and subscriber messaging preferences, based on the called party identifier (checking the database for subscriber information and access rights; column 3, lines 1-25; column 8, lines 35-53; column 9, lines 58-67).

As per claims 6 and 37, Moshfeghi discloses the method and medium of claims 5 and 36, wherein the call parameters include a calling party identifier, the accessing step further including retrieving second subscriber attribute information based on the calling party identifier (getting subscriber information; column 8, lines 35-67).

As per claims 7 and 38, Moshfeghi discloses the method and medium of claims 5 and 36, wherein the accessing step includes accessing the IP-based database server according to LDAP protocol (accessing the database using LDAP column 8, lines 1-26).

As per claims 8 and 39, Moshfeghi discloses the method of claims 1 and 32, wherein the accessing step includes accessing the IP-based database server according to LDAP protocol (accessing the database using LDAP column 8, lines 1-26).

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As per claims 9 and 40, Moshfeghi discloses the method and medium of claims 1 and 32, wherein the step of accessing the IP-based messaging server includes selectively obtaining from the IP-based messaging server at least one of a subscriber name, and a subscriber greeting as a subscriber prompt based on a subscriber identifier obtained from the accessed attribute information (access subscriber information to retrieve user profile including user name; column 7, lines 18-67).

As per claims 22 and 53, Moshfeghi discloses an application server configured for executing a messaging application, the application server including:

a hypertext transport protocol (HTTP) interface for receiving an HTTP request specifying execution of a prescribed messaging application operation for a subscriber (getting a request for an application operation and subscriber information; column 5, lines 44-67; column 6, lines 1-22; column 7, lines 18-50; column 8, lines 1-26); and

an application runtime environment configured for dynamically generating, in response to the HTTP request, a first hypertext markup language (HTML) document having media content for execution of the messaging application operation for the subscriber based on accessing attribute information for the subscriber from an Internet Protocol (IP) based database server configured for storing subscriber attributes, and based on accessing an IP-based messaging server for subscriber messaging information based on the accessed attribute information. (accessing the messaging server and generating a web page to retrieve messages based on subscriber information; column 6, lines 10-22; column 7, lines 18-67; column 8, lines 1-26 and lines 58-67)

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As per claims 23 and 54, Moshfeghi discloses the server of claims 22 and 53, wherein the application runtime environment and generating means are configured for determining subscriber registration status and subscriber messaging preferences in response to a called party identifier specified in the HTTP request (access the database to get subscriber preferences and access rights; column 3, lines 1-25; column 8, lines 35-53; column 9, lines 58-67).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 10-20 and 41-51 are rejected under 35 U.S.C. 103(a) as being unpatentable over Moshfeghi US Patent No. 6,476,833 in view of Picard et al. US Patent No. 6,233,318. Picard discloses the invention substantially as claimed including a unified messaging system that provides a multimedia inbox (see abstract).

As per claims 10 and 41, Moshfeghi discloses the method and means of claims 9 and 40 (see claims 9 and 40 above). Moshfeghi does not disclose further comprising converting the subscriber prompt into a media file having at least one prescribed media type. Picard discloses

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converting the subscriber prompt into a media file with at least one prescribed media type. See column 9, lines 40-67; column 10, lines 1-22; column 16, lines 9-44). It would have been obvious to a person of ordinary skill in the art at the time of the invention to combine the subscriber prompt of Moshfeghi with the media type of Picard. A person of ordinary skill in the art would have been motivated to do this to be able to access the messages in different applications.

As per claims 11 and 42, Moshfeghi and Picard disclose the method and means of claims 10 and 41, wherein the converting step includes converting the subscriber prompt into a Multipurpose Internet Media Extension (MIME) type .wav file playable by a browser (Picard column 56-67; column 8, lines 1-41; column 16, lines 9-44). See claims 10 and 41.

As per claims 12 and 43, Moshfeghi and Picard disclose the method and means of claims 11 and 42, wherein the step of generating an HTML page includes inserting a first media tag including the .wav file and a second media tag configured for controlling playing of the .wav file (Picard column 9, lines 40-67; column 10, lines 1-22).

As per claims 13 and 44, Moshfeghi discloses the method and means of claims 1 and 32, wherein the step of accessing the IP-based messaging server includes determining a presence of a stored message on the IP-based messaging server for the subscriber based on the subscriber messaging information (see claims 1 and 32 above). Moshfeghi does not disclose the generating step including selectively inserting one of a first prompt file specifying no new messages and a

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second prompt file specifying the determined presence of the stored message, based on the subscriber messaging information. Picard discloses inserting a first prompt file specifying no new messages and a second prompt file specifying the determined presence of the stored message, based on the subscriber messaging information (column 2, lines 33-62; column 6, lines 24-67; column 11, lines 42-67; and column 12). It would have been obvious to a person of ordinary skill in the art at the time of the invention to combine accessing the IP-based server of Moshfeghi with the notification of messages of Picard. A person of ordinary skill in the art would have been motivated to do this to notify a client of messages on the system.

As per claims 14 and 45, Moshfeghi and Picard disclose the method and means of claims 13 and 44 (see claims 13 and 44 above), wherein the step of accessing the IP-based messaging server further includes identifying, for each stored message, a corresponding message type based on corresponding header information specifying a Multipurpose Internet Media Extension (MIME) type, the second prompt file configured for specifying the corresponding message type for each stored message (Picard column 7, lines 20-40; column 8, lines 1-41; column 9, lines 60-67; column 10, lines 1-27; column 11, lines 42-67; and column 12). It would have been obvious to a person of ordinary skill in the art at the time of the invention to combine the prompts of Moshfeghi with the MIME type of prompt of Picard. A person of ordinary skill in the art would have been motivated to do this because MIME formats support non-text messages and are compatible with many systems.

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As per claims 15 and 46, Moshfeghi and Picard discloses the method and means of claims 14 and 45, wherein each stored message on the IP-based messaging server is stored within a corresponding e-mail message as a URL encoded string with the corresponding header information, the method further comprising:

selecting one of the stored messages from the IP-based messaging server (getting a message from the IP server Picard column 6, lines 24-67; column 7, lines 56-67; column 8, lines 1-41); and

converting the URL encoded string of the selected one message into a media file having a prescribed media type, based on the corresponding MIME type and determined capabilities of a browser having sent the first HTTP request, the generating step including inserting the media file into a media tag with a corresponding media control tag for playback of the media file by the browser (checking the browser capabilities and formatting the message to match the capabilities Picard column 9, lines 40-67; column 10, lines 1-22; column 11, lines 1-27). See claims 14 and 45 above.

As per claims 16 and 47, Moshfeghi and Picard disclose the method and means of claims 15 and 46 (see claims 15 and 46 above), wherein the converting step includes converting the URL encoded string to text and executing a text to speech routine for converting the text into an audio file based on the header information specifying text and the determined attributes specifying audio only (converting the text into audio for telephones; Picard column 6, lines 24-67; column 7, lines 20-40; column 8, lines 56-67; column 8, lines 1-41; column 18, lines 13-65).

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As per claims 17 and 48, Moshfeghi and Picard disclose the method and means of claims 15 and 46 (see above), wherein the converting step includes converting the URL encoded string into an audio file based on the header information specifying a .wav MIME type (converting text into an audio file; Picard column 6, lines 24-67; column 7, lines 20-40, 56-67; column 8, lines 1-41; column 9, lines 40-67; column 10, lines 1-22). See also claims 14 and 45 above.

As per claims 18 and 49, Moshfeghi and Picard disclose the method and means of claims 14 and 45 (see above), wherein each stored message on the IP-based messaging server is stored within a corresponding e-mail message as a URL encoded string with the corresponding header information, the method further comprising:

converting selected header information into an audio file based on determining the MIME type is incompatible with determined capabilities of the browser, the generating step including inserting the audio file into the HTML page for playback by the browser (playing the audio file on the client device; Picard column 7, lines 20-40; column 8). See also claims 4 and 11 above.

As per claims 19 and 50, Moshfeghi and Picard disclose the method and means of claims 18 and 49 (see above), wherein the converting step includes converting the selected header information based on determining the MIME type specifies an image document and the determined capabilities to not include display of images (checking the clients capabilities too see what media types are supported, Picard column 8, lines 1-55). See also claims 1, 4, and 14 above.

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As per claims 20 and 51, Moshfeghi discloses the method and means of claims 1 and 32 (see above). Moshfeghi does not disclose receiving a second HTTP request for storage for the subscriber of a message having a prescribed messaging format; and

outputting to the IP-based messaging server an instruction for storage of a standard-format message, containing the message and header information specifying the prescribed messaging format, in a directory specified for the subscriber. Picard discloses storage of a message with a certain messaging format for the subscriber and outputting instructions to the IP-based messaging server for the storage in a directory specified by the subscriber (column 5, lines 21-3; column 6, lines 4-67; column 7, lines 20-40 and 56-67; column 9, lines 40-67; column 10, lines 1-22). It would have been obvious to a person of ordinary skill in the art at the time of the invention to combine the messages of multimedia content of Moshfeghi with the storage of messages with different formats into a specific directory of Picard. A person of ordinary skill in the art would have been motivated to do this so that the subscriber would be able to retrieve his messages at any time from any device supporting any type of application.

Claims 24 and 55 are rejected under 35 U.S.C. 103(a) as being unpatentable over Moshfeghi in view of Picard as applied to claims 10-20 and 26-30 above, and further in view of Cloutier et al. US Patent No. 6,535,586. Cloutier discloses the invention substantially as claimed including allowing access to the contents of a specific message implemented in various media (see abstract).

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Moshfeghi discloses the server of claims 23 and 54 (see above), wherein the application runtime environment and generating means accesses the IP based database server and the IP-based messaging server according to LDAP protocol (column 8, lines 1-26). Moshfeghi does not disclose accessing the IP-based messaging server according to the IMAP protocol. Cloutier discloses accessing the server based on the IMAP protocol. See column 4, lines 47-60. It would have been obvious to a person of ordinary skill in the art at the time of the invention to combine accessing the databases of Moshfeghi with the IMAP protocol of Cloutier. A person of ordinary skill in the art would have been motivated to do this because IMAP is a protocol allowing a client to access and manipulate electronic mail messages on a server. It permits manipulation of remote message folders (mailboxes), in a way that is functionally equivalent to local mailboxes.

Claims 25-31 and 56-62 are rejected under 35 U.S.C. 103(a) as being unpatentable over Moshfeghi in view of Picard as applied to claims 10-20 and 41-51 above, and further in view of Cloutier et al. as applied to claims 24 and 55 in further view of Foldare et al. US Patent No. 6,373,926. Foldare teaches the invention substantially as claimed including a centralized messaging service method and apparatus that allows messages to be converted into different formats (see abstract).

As per claims 25 and 56, Moshfeghi, Picard, and Cloutier disclose the server of claims 24 and 55, wherein the application runtime environment and generating means are configured for accessing from the IP-based messaging server at least one of a subscriber name and a subscriber

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greeting as a subscriber prompt, the application runtime environment converting the subscriber prompt into a media file playable by a browser and inserting the media file into the HTML document (see claims 1 and 11 above). Moshfeghi, Picard and Cloutier do not disclose based on the HTTP request specifying a condition for a calling party to leave a message for the subscriber. Foldare discloses the calling party receiving conditions to leave a message for the subscriber. See column 4, lines 9-67; column 5, lines 1-20, lines 46-67; column 6, lines 1-15; column 8, lines 7-27. It would have been obvious to a person of ordinary skill in the art at the time of the invention to combine the subscriber prompt of Moshfeghi, Picard and Cloutier with the prompt for the calling party to receive conditions of the message to be left of Foldare. A person of ordinary skill in the art would have been motivated to do this so that the calling party would know which subscriber it is leaving a message for.

As per claims 26 and 57, Moshfeghi, Picard, Cloutier and Foldare disclose the server of claims 25 and 56 (see above), wherein the application runtime environment and generating means are configured for converting the subscriber prompt stored on the IP-based messaging server from a URL encoded string into an audio file as said media file (converting the prompt into an audio prompt; Picard column 7, lines 56-67; column 8, lines 1-41; column 9, lines 40-67; column 10, lines 1-22; column 16, lines 9-44).

As per claims 27 and 58, Moshfeghi, Picard, and Cloutier disclose the server of claims 24 and 55 (see above), wherein the application runtime environment and generation means are

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configured for accessing from the IP-based messaging server a message for a subscriber, stored on the IP-based messaging server as an e-mail message having a URL encoded string and corresponding header information that specifies a Multipurpose Internet Media Extension (MIME) type, the application runtime environment converting at least one of the header information and the URL encoded string into a media file having a selected media type based on the MIME type and determined capabilities of an input device used by the subscriber (determining the capabilities of the client device; Picard column 7, lines 20-40, lines 56-67; column 8, lines 1-41).

As per claims 28 and 59, Moshfeghi, Picard, and Cloutier disclose the server of claims 27 and 58 (see above), wherein the application runtime environment and generating means are configured for converting the header information into an audio file based on determining that the MIME type specifies an image and that the determined capabilities to not support the image (determining what the capabilities of the client are; Picard column 8, lines 1-58). See also claims 16 and 19 above.

As per claims 29 and 60, Moshfeghi, Picard, and Cloutier disclose the server of claims 27 and 58 (see above), wherein the application runtime environment and generating means are configured for converting the URL encoded string into an audio file based on the MIME type specifying a .wav type (converting text to voice; Picard column 9, lines 40-67; column 10, lines 1-22).

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As per claims 30 and 61, Moshfeghi, Picard and Cloutier disclose the server of claims 27 and 58 (see above), wherein the application runtime environment is configured for converting the URL encoded string into text and converting the text into an audio file using a text to speech routine, based on the MIME type specifying text and the determined capabilities to not support text (determining the capabilities of the client; Picard column 8, lines 1-41). See also claims 16 and 19.

As per claims 31 and 62, Moshfeghi, Picard, and Cloutier disclose the server of claims 24 and 55 (see above), wherein the application runtime environment and generating means are configured for converting a message supplied by the HTTP request and having a prescribed messaging format into a URL encoded string, generating a header specifying a Multipurpose Internet Media Extension (MIME) type for the prescribed messaging format, and outputting to the IP-based messaging server an e-mail message, including the URL encoded string and the header as an attachment (generating a header describing the format and outputting the header to the server, Picard column 9, lines 40-67; column 10, lines 1-22). Moshfeghi, Picard, and Cloutier do not disclose generating a header for delivery to a directory specified for the subscriber. Foldare discloses a header for delivery to a directory specified for the subscriber. See column 4, lines 9-67; column 5, lines 1-20 and 46-67; column 6, lines 1-15; column 8, lines 7-27; column 9, lines 41-67; and column 10, lines 1-19. It would have been obvious to a person of ordinary skill in the art at the time of the invention to combine the header of Picard with the delivery location of Foldare. A person of ordinary skill in the art would have been motivated to do this so that the message would go to the right location.

Allowable Subject Matter

Claims 21 and 52 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter: the prior art of record does not disclose a messaging system which outputs, along with an instruction for storage, the message and header information and converting the message into a URL string and specifying a MIME type for the messaging format and sending the message as a string along with the header information in a standard e-mail message as an attachment.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Bettis US Patent No. 6,421,708 discloses a message processing system which converts messages into different formats.

Kikinis US Patent No. 6,553,410 discloses a system is providing improved data transmission

Holland et al. US Patent No. 6,446,096 discloses content appropriate for different formats and can be retrieved on different clients.

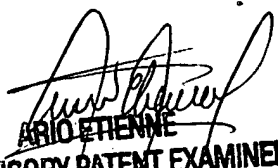
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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Uzma Alam whose telephone number is (703) 305-8420. The examiner can normally be reached on Monday - Friday 8:30 - 5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (703) 308 - 7562. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-9052 for regular communications and (703) 746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-9600.

ua
May 2, 2003


ARIO ETIENNE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100